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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/480,589	01/10/2000	Kevin Michael Ruppelt	9D-EC-19348-Ruppelt-et-al	4505

7590 10/20/2004

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EXAMINER

VAN DOREN, BETH

ART UNIT	PAPER NUMBER
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3623

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/480,589

Applicant(s)

RUPPELT ET AL.

Examiner

Beth Van Doren

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-75 and 79-81 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-75 and 79-81 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is a non-final office action in response to the communications received 07/21/04. Claims 1, 16, 19, 45, 46, 55, 59, 63, 64, 68, 73, and 74 have been amended. Claims 76-78 have been canceled. Claims 79-81 have been added. Claims 1-75 and 79-81 are now pending in this application.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-75 and 79-81 are rejected under 35 U.S.C. 103(a) as being unpatentable over Customer Support System (Circuitcity.com) in view of Rasansky et al. (U.S. 5,960,406).

4. As per claim 1, Customer Support System teaches a method of enabling scheduling of a service call in a computing environment, the method comprising:

obtaining product information regarding a product from a user of the computing environment (See at least page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, wherein product information is received from the user of the computer environment);

providing to the user, from who the product information is obtained, at least one available appointment for scheduling a service call based on the product information (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided an appointment);

determining, by a first computing unit, whether the product is serviced by a manufacturer of the product (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein a computing unit is used to determine whether the product is serviced by the manufacturer); and

determining, by a first computing, whether the product is serviced by a service provider if the product is not serviced by the manufacturer, wherein the service provider is different than the manufacturer (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein a determination is made if the product can be serviced by the service provider if the product is not serviced by the manufacturer).

However, Customer Support System does not expressly disclose and Rasansky et al. discloses that automatically providing includes providing without interaction between the user and any other human being and the computing unit including a web browser (See at least figure 1A, column 1, lines 15-25 and 37-60, column 2, lines 1-5, 25-37, and 45-55, column 4, lines 5-32, column 5, lines 50-60, column 6, lines 45-55, column 7, lines 40-55, column 8, lines 5-25, column 9, lines 60-67, wherein an appointment is provided with a service center over the internet using Web Browsers).

Both Rasansky et al. and Customer Support System disclose scheduling service appointments in a computing environment. Making appointments and the scheduling process are old and well known in the service industry. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the online scheduling capabilities of Rasansky et al. to perform the appointment scheduling in Customer Support System in order to more efficiently make appointments with people in disparate

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locations and coordinate schedules of multiple people. See at least column 1, lines 5-15 and 35-65.

5. As per claim 2, Customer Support System discloses wherein the product information comprises a location of the product and at least one of a product type, a product manufacturer, and a product model number, and wherein the at least one available appointment is based on the location of the product (See at least page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, wherein product information is received, such as product location and manufacturer, and the appointment is scheduled based on the location).
6. As per claim 3, Customer Support System discloses wherein the automatically providing comprises selecting the at least one available appointment from at least one possible appointment for at least one service provider (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1).
7. As per claim 4, Customer Support System discloses wherein the providing comprises selecting the at least one available appointment from a plurality of appointments, and wherein the plurality of appointments are associated with a plurality of service providers at a plurality of locations (See at least page 1, sections 2-4, page 3, page 12, page 22, sections 1-4, page 25, which discloses a plurality of locations at which the appointment can be made).

However, Customer Service Support does not expressly disclose and Rasansky et al. discloses automatically providing (See at least figure 1A, column 1, lines 15-25 and 37-60, column 2, lines 1-5, 25-37, and 45-55, column 4, lines 5-32, column 5, lines 50-

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60, column 6, lines 45-55, column 7, lines 40-55, column 8, lines 5-25, column 9, lines 60-67, wherein an appointment is provided with a service center).

Both Rasansky et al. and Customer Support System disclose scheduling service appointments in a computing environment. Making appointments and the scheduling process are old and well known in the service industry. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the automated scheduling capabilities of Rasansky et al. to perform the appointment scheduling in Customer Support System in order to more efficiently make appointments with people in disparate locations. See at least column 1, lines 5-15 and 35-65.

8. As per claim 5, Customer Support System discloses wherein the automatically providing comprises determining in real-time the at least one available appointment (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is scheduled for the appointment in real-time).

9. As per claim 6, Customer Support System discloses wherein the automatically providing comprises determining in real-time the at least one available appointment as unavailable in the event another user has selected the at least one available appointment (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1).

10. As per claim 7, Customer Service Support discloses a method further comprising providing suggested product information to the user for use by the user in providing product information (See at least page 1, sections 2-5, pages 3-4, page 12, and page 22, sections 1-2, wherein suggested product information is given to user so the user may supply the appropriate product information).

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11. As per claim 8, Customer Service Support discloses a method wherein the suggested product information comprises at least one of a product type, a product manufacturer, and a product model number (See at least page 1, sections 2-5, pages 3-4, page 12, and page 22, sections 1-2, wherein the product information is at least product manufacturer and product type).

12. As per claim 9, Customer Support System discloses a method further comprising providing to the user a suggested nature of a problem based on the product information (See at least page 17 and page 23, section 2, which discloses customer support).

13. As per claim 10, Customer Support System teaches obtaining one of the at least one available appointment selected by the user (See page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1).

14. As per claim 11, Customer Support System discloses a method further comprising notifying the service provider of the one of the at least one available appointment selected by the user (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the service provider is scheduled and performs the service).

15. As per claim 12, Customer Support System teaches wherein the service provider is at least one of a factory service provider and an authorized service provider (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein the service provider is an authorized service provider).

16. As per claim 13, Customer Support System discloses providing to the user at least one available appointment for scheduling a service call based on the product information (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-

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4, page 23, section 1). However, Customer Support System does not expressly disclose and Rasansky discloses that the at least one available appointment selected by the user is set as unavailable for other users (See at least figures 2B, 6, 12, 13, 18a, and column 2, lines 1-5, 25-37, and 45-55, column 4, lines 5-32, column 5, lines 50-60, column 6, lines 45-55, column 7, lines 40-55, column 8, lines 5-25, column 9, lines 60-67).

Customer Support System and Rasansky et al. disclose scheduling available technicians for appointments. It is well known in the art that a service provider is a limited resource and when a service provider is scheduled for an appointment, he/she is unavailable at that time for another appointment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to make the service call appointment selected by the user unavailable to other users in order to more efficiently schedule technicians by ensuring that the technicians are not double booked.

17. As per claim 14, Customer Support System discloses a method further comprising validating warranty product information (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein the warranty is validated).

18. As per claim 15, Customer Support System teaches a method further comprising obtaining a nature of a problem of the product, and providing do it yourself repair information based on the nature of the problem (See page 17, page 23, section 2, wherein a technical support line is disclosed).

19. As per claim 16, Customer Support System discloses wherein the obtaining the product information at the first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a



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communications network (See at least page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1).

20. As per claim 17, Customer Support System teaches a method wherein a communications network is used that is accessible by either the order taker or the customer as well as the technicians (See at least page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1).

21. As per claim 18, Customer Support System discloses wherein said service call is for repair of a home appliance (See at least page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, which discusses a computer).

22. As per claim 19, Customer Support System teaches a method of enabling scheduling of a service call for repair of a home appliance in a computing environment, the method comprising:

obtaining product information regarding a product at a first computing unit from input of the product information by a user at a second computing unit coupled to the first computing unit via a communications network (See at least page 1, sections 2-4, page 3, section 1, page 12, pages 15-16, page 22, sections 1-4, page 23, section 1, wherein product information is obtained); and

providing at least one available appointment for scheduling a service call based on the product information (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided an appointment);

determining, by the second computing unit, whether the product is serviced by a manufacturer of the product (See at least page 1, sections 2-4, page 3, section 1, page 22,

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sections 1-4, wherein a computing unit is used to determine whether the product is serviced by the manufacturer); and

determining, by the second computing unit, whether the product is serviced by a service provider if the product is not serviced by the manufacturer, wherein the service provider is different than the manufacturer (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein a determination is made if the product can be serviced by the service provider if the product is not serviced by the manufacturer).

However, Customer Support System does not expressly disclose and Rasansky et al. discloses automatically providing from the first computing unit to the user at the second computing unit at least one available appointment for scheduling a service call, providing without interaction between the user and any other human being, and that the computing unit includes a web browser (See at least figure 1A, column 1, lines 15-25 and 37-60, column 2, lines 1-5, 25-37, and 45-55, column 4, lines 5-32, column 5, lines 50-60, column 6, lines 45-55, column 7, lines 40-55, column 8, lines 5-25, column 9, lines 60-67, wherein an appointment is made with a service center over the WWW).

Both Rasansky et al. and Customer Support System disclose scheduling service appointments in a computing environment. Making appointments and the scheduling process are old and well known in the service industry. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the online scheduling capabilities of Rasansky et al. to perform the appointment scheduling in Customer Support System in order to more efficiently make appointments with people in disparate locations and coordinate the schedules of multiple people. See at least column 1, lines 5-15 and 35-65.

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23. Claims 20, 21, 22, 23, 24, 25, 26, and 27 recite equivalent limitations to claims 2, 4, 5, 6, 15, 10, 11, and 13, respectively, and therefore rejected using the same art and rationale applied in the rejections of claims 2, 4, 5, 6, 15, 10, 11, and 13, respectively.

24. Claims 28-54 recite equivalent limitations to claims 1-27, respectively, and are therefore rejected using the same art and rationale relied upon above.

25. Claims 55-63 recite equivalent limitations to claims 19-27, respectively, and are therefore rejected using the same art and rationale relied upon above.

26. As per claim 64, Customer Support System teaches an article of manufacture comprising: at least one computer usable medium having computer readable program code means embodied therein for causing a scheduling of a service call for repair of a home appliance (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1), the computer readable program code means in said article of manufacture comprising:

computer readable program code means for causing a computer to obtain product information at a first computing unit from input of the product information by the user at a second computing unit coupled to the first computing unit via a communications network (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein product information, like location, is received);

providing at least one available appointment for scheduling a service call based on the product information (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided an appointment);

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computer readable program code means for causing a computer to determine whether the product is serviced by a manufacturer of the product (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein a computing unit is used to determine whether the product is serviced by the manufacturer); and

computer readable program code means for causing a computer to determine whether the product is serviced by a service provider if the product is not serviced by the manufacturer, wherein the service provider is different than the manufacturer (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein a determination is made if the product can be serviced by the service provider if the product is not serviced by the manufacturer).

However, Customer Support System does not expressly disclose and Rasansky et al. discloses automatically providing from the first computing unit to the user at the second computing unit at least one available appointment for scheduling a service call, providing without interaction between the user and any other human being and the computing unit including a web browser (See at least figure 1A, column 1, lines 15-25 and 37-60, column 2, lines 1-5, 25-37, and 45-55, column 4, lines 5-32, column 5, lines 50-60, column 6, lines 45-55, column 7, lines 40-55, column 8, lines 5-25, column 9, lines 60-67, wherein an appointment is made with a service center over the WWW).

Both Rasansky et al. and Customer Support System disclose scheduling service appointments in a computing environment. Making appointments and the scheduling process are old and well known in the service industry. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the online scheduling capabilities of Rasansky et al. to perform the appointment scheduling in Customer

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Support System in order to more efficiently make appointments with people in disparate locations and coordinate the schedules of multiple people. See at least column 1, lines 5-15 and 35-65.

27. Claims 65-72 recite equivalent limitations to claims 20-27, respectively, and are therefore rejected using the same art and rationale relied upon above.

28. As per claim 73, Customer Support System teaches wherein said determining whether the product is serviced by a service provider if the product is not serviced by the manufacturer comprises determining whether the product is serviced by an authorized service provider if the product is not serviced by the manufacturer, the authorized service provider having agreed with the manufacturer to provide a service similar to that provided by the manufacturer (See at least page 1, sections 2-4, page 3, section 1, page 22, sections 1-4, wherein the service provider is an authorized service provider).

29. Claims 74-75 recite equivalent limitations to claim 73 and are therefore rejected in each instance using the same art and rationale as applied in the rejection of claim 73.

30. As per claim 79, Customer Support System teaches a method further comprising a priority to the service call if the product is out of warranty, wherein said providing a priority including providing the priority to the service call over a service call corresponding to a product that is under warranty (See page 1, section 4, wherein those with warranty's with manufacturers are first asked to contact the manufacturer. Those out of warranty may schedule directly).

31. As per claim 80, Customer Service System teaches the at least one available appointment includes at least two available appointments, providing a number of the at least two available appointments if the product is out of warranty, wherein said providing

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a number includes providing the at least two available appointments that are higher in number than a number of at least one available appointment corresponding to a product under warranty (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided an appointment).

32. As per claim 81, Customer Service Support discloses scheduling a service call for a user (See at least page 1, sections 2-4, page 3, section 1, pages 12, 15-16, page 22, sections 1-4, page 23, section 1, wherein the user is provided an appointment). However, Customer Service Support does not expressly disclose and Rasansky et al. discloses providing, via the first computing unit, a reminder of an appointment, wherein said providing a reminder to the user includes providing the reminder before a time at which the appointment is scheduled (See figures 7 and 18B, column 17, lines 60-67, wherein a reminder is sent).

Both Rasansky et al. and Customer Support System disclose scheduling service appointments in a computing environment. Providing reminders of appointments was well known in the service industry at the time of the invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a reminder of the service call scheduled in Customer Support System in order to more efficiently make appointments with people in disparate locations. See at least column 1, lines 5-15 and 35-65.

### ***Response to Arguments***

33. Applicant's arguments with respect to the claims have been considered but are moot in view of the new grounds of rejection.

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### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Reichwein et al. (U.S. 6,311,162) teaches an interactive system that identifies a customer and the customer's equipment and determines desired repairs.

Whirlpool ("Appliance Corner") discloses locating a service provider and diagnosing problems that need repair.

"House Calls are Extending Sales" (Los Angeles Times) teaches house calls for service repairs.

Sears HomeCentral ([www.sears.com](http://www.sears.com)) teaches scheduling repair technicians.

Nevin ("Appliance Services Pad the Sale") discloses extended service programs by manufacturers and third party service vendors.

Ladendorf ("Need Help? MaxServ answers the Calls") teaches service technician calls and questions about repairs.

Totty ("As Big Firms Farm Out") discloses customer calls about service repairs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (703) 305-3882. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*bvd*

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October 14, 2004

  
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